

1 James E. Whitmire, Esq.
Nevada State Bar No. 6533
2 **Santoro Whitmire**
10100 W. Charleston Blvd., Suite 250
3 Las Vegas, NV 89135
Phone: (702) 948-8771
4 Facsimile: (702) 948-8773
whitmire@santoronevada.com
5

6 Jeffrey S. Cashdan, Esq. (*pro hac vice* pending)
Zachary A. McEntyre, Esq. (*pro hac vice*)
7 James Matthew Brigman, Esq. (*pro hac vice*)
Allison Hill White, Esq. (*pro hac vice*)
8 **KING & SPALDING, LLP**
1180 Peachtree Street NE
9 Atlanta, GA 30309
Phone: (404) 572-4600
10 jcashdan@kslaw.com
zmcentyre@kslaw.com
11 mbrigman@kslaw.com
awhite@kslaw.com
12

13 Julia C. Barrett, Esq. (*pro hac vice* pending)
KING & SPALDING, LLP
500 W. 2nd Street
14 Austin, TX 78701
jbarrett@kslaw.com
15

16 *Attorneys for Defendants*

17 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

18 GARY YAGHYAZARIAN and ELENA
THORMAHLEN, individually and on behalf of
19 others similarly situated,

20 Plaintiff,

21 v.

22 PROGRESSIVE DIRECT INSURANCE
COMPANY and PROGRESSIVE NORTHERN
INSURANCE COMPANY,
23

Defendants.

Case No.: 2:22-cv-01339-CDS-VCF

STIPULATION AND ~~PROPOSED~~
ORDER FOR EXTENSION OF TIME
FOR PROGRESSIVE DIRECT
INSURANCE COMPANY TO RESPOND
TO PLAINTIFFS' AMENDED
COMPLAINT

(First Request)

24 Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure, Defendant
25 Progressive Direct Insurance Company ("Progressive Direct"), by its undersigned counsel, and
26 Plaintiffs Gary Yaghyazarian and Elena Thormahlen, through their undersigned counsel,
27 hereby stipulate and agree, subject to the Court's approval, pursuant to Local Rule 7-1 and
28

1 Local Rule IA 6-1 to extend the deadline for Progressive Direct to answer or otherwise respond
2 to Plaintiffs' Amended Complaint (deadline is currently November 15, 2022), as follows:

3 1. Plaintiff Gary Yaghyazarian filed the original complaint in this action on August 17,
4 2022, solely against Progressive Direct. *See* Dkt. No. 1.

5 2. Progressive Direct, after waiving service, responded to the complaint by filing a
6 timely Motion to Dismiss on October 10, 2022. *See* Dkt. Nos. 5, 18.

7 3. An Amended Complaint was filed on November 1, 2022, adding a new plaintiff,
8 Elena Thormahlen, and a new defendant, Progressive Northern Insurance Company
9 ("Progressive Northern"). *See* Dkt. No. 20.

10 4. Pursuant to Rule 15(a)(3) of the Federal Rules of Civil Procedure, *unless the Court*
11 *orders otherwise*, Progressive Direct's last day to answer or otherwise respond to the Amended
12 Complaint is November 15, 2022.

13 6. Progressive Northern waived service of the Amended Complaint, thereby making its
14 answer or other response due on January 9, 2023. *See* Dkt. No. 32.

15 7. Progressive Direct and Progressive Northern are both represented by the
16 undersigned counsel at King & Spalding LLP and Santoro Whitmire. *See* Dkt. Nos. 21, 27, 28,
17 29, 30, 31, 33, 34, 35.

18 8. In the interest of efficiency and appropriate coordination of this action, the parties
19 have agreed that both Defendants should have the same response deadline, and that Progressive
20 Direct's deadline to answer or otherwise respond to the Amended Complaint should be
21 extended to January 9, 2023, so that both Defendants have the same response deadline.

22 9. Accordingly, all parties hereby stipulate, subject to the Court's approval, that
23 Progressive Direct's answer or other response to Plaintiffs' Amended Complaint is due by
24 January 9, 2023. This is the first request to extend the foregoing deadlines, and all parties
25
26
27
28

1 submit that good cause exists for these extensions and that they are not intended for purposes
2 of delay.

3
4 **WHEREFORE**, Defendant Progressive Direct Insurance Company respectfully
5 requests that the Court grant this Unopposed Motion and thereby extend its time to answer or
6 otherwise respond to the Amended Complaint to January 9, 2023.
7

8 Respectfully submitted on November 14, 2022.
9

10 /s/ Andrew J. Shamis

11 Andrew J. Shamis, Esq.
12 ashamis@shamisgentile.com
13 **SHAMIS & GENTILE, P.A.**
14 14 NE 1st Avenue, Suite 705
15 Miami, FL 33132

16 Scott Edelsberg, Esq.
17 scott@edelsberglaw.com
18 Christopher Gold, Esq.
19 chris@edelsberglaw.com
20 **EDELSBERG LAW P.A.**
21 20900 NE 30th Ave., Suite 417
22 Aventura, FL 33180

23 Gustavo Ponce, Esq.
24 gustavo@kazlg.com
25 Mona Amini, Esq.
26 mona@kazlg.com
27 **KAZEROUNI LAW GROUP, APC**
28 6069 South Fort Apache Road, Suite 100
Las Vegas, NV 89148

Attorneys for Plaintiffs

/s/ James E. Whitmire

James E. Whitmire, Esq.
Nevada State Bar No. 6533
SANTORO WHITMIRE
10100 W. Charleston Blvd., Suite 250
whitmire@santoronevada.com

Jeffrey S. Cashdan (*pro hac vice* pending)
Zachary A. McEntyre (*pro hac vice*)
James Matthew Brigman (*pro hac vice*)
Allison Hill White (*pro hac vice*)
KING & SPALDING LLP
1180 Peachtree Street NE
Atlanta, GA 30309

Julia C. Barrett (*pro hac vice* pending)
KING & SPALDING LLP
500 W. 2nd Street
Austin, TX 78701

Attorneys for Defendants

IT IS SO ORDERED.



Cam Ferenbach
United States Magistrate Judge

DATED 11-15-2022